

AND THREE OTHERS SUPPOSED TO BE FATALLY
INJURED—NINETEEN ARRESTS.

[illegible]

ny's DEZIE, his own, and fairly tone, but not remarkable in any way; Blake as Meddle was the life of the piece; Burnett's Grace was good; Laura's Lady and Miss Steven's Max did not exceed the very ordinary expectation of the public; and for the other characters, they call for no remark. The house was good, and the audience appeared determined to be pleased.

The *Courrier des Etats Unis* contains an elaborate announcement of a new Parisian artist, who is about to appear in this city, upon an instrument new to the concert-room at least, if not to the majority of the public. The instrument is the Alexandre organ, and the artist is Miss Emma Wellis. The *Courrier* cites in favour of Miss Wellis the commendations of Hector Berlioz and M. Florentino, both critical authorities of the highest value.

Enlargement for Church accommodation seems to be the order of the day. The Rev. H. W. Beecher's people are planning a larger house; and now the Market Street Reformed Dutch Congregation of this City

and find plenty to do. No boys are permitted to engage in either of the varieties of business specified above. Many of these dealers have realized immense profits by receiving and disposing of stolen goods, and the new regulation is therefore an excellent one in more respects than one.

The Health Commissioners, at their meeting yesterday, disposed of the usual amount of routine business. In the case of the steamer *De Anna*, belonging to the Government, the Board was requested to make an investigation. She was sent to Quarantine from

CHARGED WITH LEIS-TREATING A WOMAN, yesterday morning a woman named Elizabeth Ciosek appeared before Justice Welch at the City Hall Police Court and made an affidavit of complaint in which she alleges that on Saturday last, in company with her sister Mary Sheehy, she went to buy some articles to a relative on Broadway. On way she was seized with a convulsion and became unconscious. An officer, coming along, conveyed her to Eighth Precinct Station-House, where she was kept up in a cell without receiving any attention. At one time at midnight, while lying down upon the iron bench, a man entered the cell, and, as she gazed, attempted to take indecent liberties with her. She screamed aloud and protested against his designs. On the man seized her and threw her upon the bench. She again endeavored to violate her person. She still resisted his efforts, when he took her to the hydrant

SUDDEN DEATH IN THE ALMS-HOUSE WAGON.—Yesterday morning, about 11½ o'clock, word was sent the Coroner's Office that a man was supposed to be lying in the Alms-House wagon. Dr. Wellje was sent for, who, on arriving, pronounced the man dead.

had kept an ounce of arsenic in his pocket for a year past. At the instigation of killing himself but postponed taking the draught till the afternoon of the 26th inst., when, finding himself out of work, and money, too, he swallowed the poison, and bidding a final adieu to his friends was conveyed to the hospital. The jury rendered a verdict of death by suicide by arsenic. Slog was 25 years of age and a native of Utah.

FANCY CUTLERY.—A large variety of Sports-
men's PEN and POCKET KNIVES of the most rare and beautiful
patterns, many of which have never been before reported. For
Sale by
J. & B. MASON, No. 1 Astor House.

in addition to the power, or of any other authority, conferred upon the said Company, may choose to employ, and by the said section of that act, the location within the prescribed limits, was made subject to the approbation of the Common Council of the City of New-York.

In addition to this by the 16th section of the same act, the Corporation of the City of New-York were empowered to regulate the location of any and many of said roads, and the speed with carriages, and to cause any and many of said roads to be closed, or altered, and by virtue of that act, the Mayor, Aldermen and Commonalty by ordinance approved Dec 22, 1831, granted permission to the said Company to construct and lay down in pursuance of their act of incorporation, a railway now used by

Company is authorized by law to establish beyond the question, because it seems to be established beyond controversy on principle and authority, that what is authorized by law is not a nuisance. (1st Expt. Ch. 8, *vs. The Union* *Ch. R. R. Co.*, 6 Barber, 368. See also 5th Barber, 79. *vs. Sanguich* *Ch. R. R. Co.*, 2 Kernan, 431.) It is a legal right to call that a public nuisance which is maintained by authority. (Per Just. Hand. *Harris vs. Thompson*, 9 *Expt. Ch. 8*, Davis *vs. May*, *vs. May*, *vs. May*, 2 Kernan, 524.) In *case of* *Hand*, although it was asserted that the use of *Hand* *Hand* would be a public nuisance, yet

may, indeed, with propriety be said, that steam, as a motive power, is one of great practical utility, and its application of indispensable, in so far as the mind of the whole is concerned; but particularly of this country, seems intent upon annihilating space, by facilitating and expediting the transit of word persons to different points of destination; but yet its application, wherever it is necessary, should be regulated with regard to

On Saturday last, Judge Sutherland granted an injunction similar to that issued by Judge Brady of the United States District Court at New York, in the case of Common Pleas. The order to show cause why it shall not be made perpetual is returnable on the 15th inst., and, with the exception of one allegation, the application is based on the same complaint.

Lozano N. Irigoin agt. *Geo. B. Morewood* et al.
The libel in this case was filed to recover freight, continuing to the sum of \$109,356, upon a cargo of coffee and

Secretary must result at discretion the whole of the forfeiture—but this power carries with it an authority to remit any less than the whole, or upon a condition consistent with *Omne majus continet in se minus*.

We are also inclined to think that the act, in express terms, gives the power claimed by the Secretary. The power given to "mitigate or remit" the forfeiture, or any part thereof, and "proceed to the prosecution, if any, to be discontinued," upon such terms or conditions as he may deem reasonable and just.¹² On the other side, in this case, the whole subject was submitted to the

BROOKLYN ITEMS.

BURGLARY.—The house of Mrs. Burbee, in North sixth street, between First and Second streets, Eastern District, was entered by burglars on Sunday night and robbed of \$20, in gold and bills. The thieves escaped with their booty.

INSULTING FEMALES.—Two young "bloodes," named

LAURA KEENE'S.—"London Assurance" was given

artist is Miss Emma Wells. The *Courier* cites in favor of Miss Wells the commendations of Hector Berlioz and M. Fiorentino, both critical authorities of the highest value.

TAMMANY SOCIETY.—A meeting of the Tammany society was held in the Wierum last evening; but,

NOT DECIDED.—The Postmaster-General has not decided upon a location for a Post-Office in this city.

The Firemen's Journal, a paper devoted to the interests of firemen, is before us. It is a good looking one, and seems to be judiciously filled. Messrs.

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becked the other, beating him in a very violent manner. Phil was arrested, but was not put into a t with the vulgar herd. He was, we believe, allowed to occupy the best apartments of the establishment, and efforts were made to compromise with the beaten deer, which he refused to do. No complaint has yet been made at the Police Court.

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by the Montgomery Charter, and subsequently by regulations, it may well be doubted whether the city can be held of it even by an act of the Legislature itself. *New-
York and Harlem Railroad Company vs. The Mayor, &c., Com-
mons*. And on this subject see Hoffman's Treatise on Corpora-
tions, 42-62.

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In the case of *Clark et al. vs. Barnwell et al.* (12 How., 252, 253), the Court held that damage to goods occasioned by effect of humidity and dampness in the hold, in the absence of any fault in the ship, or in the navigation of her, or in the voyage, was a damage from one of the dangers and accidents of sea for which the carrier is not liable. The exception in bill of lading in the case before us is as broad as in the case of 12 Howard.

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